

STYLE OF
CASE : **ARTURO ELIZONDO**

vs.

**ADHAN ABBIKADIR AND
MBA TRANSPORT OF COLUMBUS, LLC**

CASE NO. : **1:19-CV-00459**

PERTAIN TO : **Arturo Elizondo**

FROM :
**Tideport Distributing Inc. - Payroll
4225 Research Forest Drive, Suite 204
SpringTX77381**

DELIVER TO : **George P. Pappas
Sheehy, Ware, & Pappas, P.C.
909 Fannin Street, Suite 2500
Houston, TX 77010-1003**

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

Order No. **83049.020**

EXHIBIT

2

IN THE UNITED STATES DISTRICT COURT
FOR THE Eastern DISTRICT OF TEXAS
Beaumont DIVISION

ARTURO ELIZONDO

vs.

ADHAN ABBIKADIR AND
MBA TRANSPORT OF COLUMBUS, LLC

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CIVIL ACTION NO. 1:19-CV-00459

DIRECT QUESTIONS TO BE PROPOUNDED TO THE WITNESS

Custodian of Records for: Tideport Distributing Inc.

Records Pertaining To: Arturo Elizondo

Type of Records: Any and all payroll records, including but not limited to, records of wages earned, W-2 forms, time sheets, and any other documents contained in the file

1. Please state your name, the name of your employer, and your position and title with said company.

Answer: TINA RAIDER - HUMAN RESOURCES

2. Please state whether or not the above-named person is or has been an employee of said company.

Answer: YES CURRENTLY AN EMPLOYEE

3. State whether or not payroll records of the company's employees, including that of the above-named person, are kept and maintained by said company.

Answer: YES

4. State whether or not the maintenance and preservation of the payroll records, including those of the above named person, of said company, are kept under your custody and supervision.

Answer: YES

5. Please state whether or not you are Custodian of Payroll Records of said company.

Answer: YES

6. Are the payroll records of the above-named person made and maintained by the company in the usual and regular course of business?

Answer: YES

7. Do you have the payroll records of the above-named person?

Answer: YES

8. Please state whether the entries of the payroll records were made at or near the time of the act, event or condition recorded, or reasonably soon thereafter.

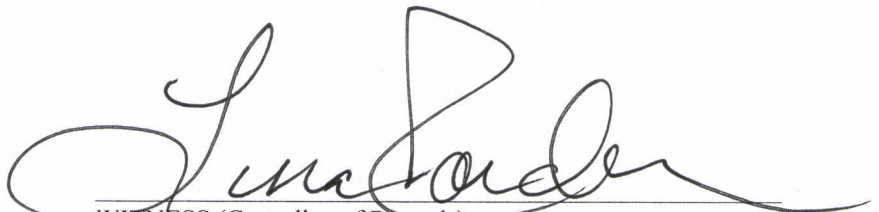
Answer: YES

9. Please state whether it was the regular course of business of your company for such employee or representative with personal knowledge of such act, event or condition to make such memorandum or record, or to transmit information thereof to be included in such payroll records.

Answer: YES

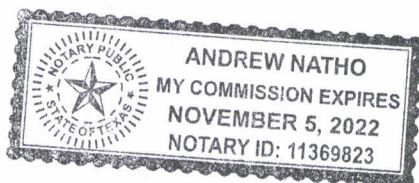
10. Please hand all of the payroll records pertaining to the above-named person as outlined in the subpoena duces tecum, to the Officer taking the deposition for photocopying and marking as Exhibits, to be attached to this deposition. Have you done so? If not, why?


Answer: YES


WITNESS (Custodian of Records)

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument in the capacity therein stated, who being first duly sworn, stated upon his/her oath that the answers to the foregoing questions are true and correct. I further certify that the records attached hereto are exact duplicates of the original records.

SWORN TO AND SUBSCRIBED before me this 14 day of April, 20 20.




NOTARY PUBLIC

My Commission Expires: _____

3/11/2020

Form 1 - Demographics, Pay Rates and Taxes

Current Year 2020

[0F751] TIDEPORT DISTRIBUTING INC

ELIZONDO JR, ARTURO (A01U)

ACTIVE W-2

CV-Drivers (35011)

Hired 10/09/2003

[View Full Profile](#)

ELIZONDO JR, ARTURO (A

Form 1 - Demographics, Pay Rates and Taxes[View Change History](#)**Employee Demographics**

First Name*

ARTURO

Last Name*

ELIZONDO JR

Middle Name

Nickname

Employee Status

ACTIVE ▼

[Inactivate User](#)☐ Yes ☒ No

Social Security Number

☐ [Applied For](#)[Termination Date](#)

00/00/0000

Enter a termination date

Department

CV-Drivers [35011]

You do not have permission to access this Department

Position

DRIVER

Primary Phone

Other ▼

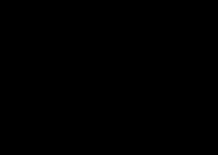
Secondary Phone

Location

Search or Make Selection

Other ▼

Address*



Labor Allocation

[Change / Edit](#) [Category Filters](#)

Department

[35011] CV-Drivers

Employee Pay Rates

*Indicates Required Field

Pay Type

Hourly ▼

[Pay Basis Check Display](#)

*

Hourly ▼

[Pay Frequency](#)

*

Semi-Monthly ▼

[Est. Annual Salary](#)

\$29,120.00 /year

Hourly Rate_1

14.00

Hourly Rate_2

0.00

Excessive NET Threshold

0.00

Workers' Comp*

[TX007219] TRUCKING NOC ALL EES AND DRIVERS (Rate = 0.114200) ▼

ABBR Calculation Rule

Manual Entry

[Annual Benefits Base Rate](#)

0.00

[Direct Deposit](#)

Disabled

[Clock Sequence Number](#)

3/11/2020

Form 1 - Demographics, Pay Rates and Taxes

[Print Paystub Message](#)
☐ [Print Paystub Message](#)

[Print Check Message](#)
☐ [Print Check Message](#)

Employee Taxes

Tax Profile
 TX/TX/TX (1 of 1)
[Change](#)
 Lives-in State
 Texas
 Works-in State
 Texas
 SUI Agency
 Texas
 Local Tax Agency
 ...
 Client-Local Agency
 ...
 Federal Tax Information

| Filing Status | Exemptions / Allowances | Additional Amount | Additional Percent | Block | Locked In | Federal W-4 |
|---------------|-------------------------|-------------------|--------------------|---|--------------------------|-------------|
| Single | 0 | \$0.00 | 0.0000% | <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> | N/A |

State Tax Information

| State | Filing Status | Exemptions / Allowances | Additional Amount | Additional Percent | Block | Locked In |
|------------------|---------------|-------------------------|-------------------|--------------------|-------|-----------|
| No Records Found | | | | | | |

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3/11/2020

Form 2 - Scheduled Earnings and Deductions

Current Year 2020

[0F751] TIDEPORT DISTRIBUTING INC

ELIZONDO JR, ARTURO (A01U)

ACTIVE W-2
 CV-Divers (35011)
 Hired 10/09/2003
[View Full Profile](#)

ELIZONDO JR, ARTURO (A

Form 2 - Scheduled Earnings and Deductions[View Change History](#)

Scheduled Earnings

[Hide](#) [Add](#)

Scheduled Deductions

[Hide](#) [Add](#)

| Code | Description | Amount(\$) | Percent(%) | Set Limit | Match Policy | Direct Deposit | Benefit Level and Plan Name | Benefit Effective Date | Coverage End Date | Deduction Start Date | Deduction Stop Date | Frequency | Goal Amount | Goal Accum | Remaining Balance |
|------|----------------|------------------------------------|------------|---|--------------|----------------|---|------------------------|-------------------|----------------------|---------------------|---------------|-------------|------------|-------------------|
| DEN | Dental Pretax | 10.71 Override | | <input checked="" type="radio"/> No <input type="radio"/> Yes 0.00 | | | Dental Plan Employee Per Pay Period Amount Employee and Spouse \$10.71 | 08/01/2019 | 07/31/2020 | 07/01/2019 | 06/30/2020 | Every Payroll | | \$42.84 | |
| 401 | EE 401k | 50.00 | | <input checked="" type="radio"/> Yes \$26000.00 | | | | | | 00/00/0000 | 00/00/0000 | Every Payroll | 26000.00 | \$200.00 | 25800.00 |
| MDE | Medical Pretax | 360.00 Override | | <input checked="" type="radio"/> No <input type="radio"/> Yes 0.00 | | | BCBS Medical Employee Per Pay Period Amount Employee and Spouse \$360.00 | 08/01/2019 | 07/31/2020 | 07/01/2019 | 06/30/2020 | Every Payroll | | \$1440.00 | |

Scheduled Garnishments

[Hide](#) [Add](#)

Scheduled Expense Reimbursements

[Hide](#) [Add](#)

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3/11/2020

Form 3 - Dates and HR

Current Year 2020

[0F751] TIDEPORT DISTRIBUTING INC

ELIZONDO JR, ARTURO (A01U)

ACTIVE W-2

CV-Drivers (35011)

Hired 10/09/2003

[View Full Profile](#)

ELIZONDO JR, ARTURO (A

Form 3 - Dates and HR

[View Change History](#)

[Employee Dates](#)

[Human Resources Information](#)

[Contact Information](#)

[Organizational Relationships](#)

[Government Reporting](#)

[Sensitive Compliance Fields](#)

[Custom Fields](#)

Hire Date

10/09/2003

16 Years 5 Months 2 Days

Rehire Date

00/00/0000

N/A

Termination Reason

Birth Date

[REDACTED]

On-Leave Start

00/00/0000

COBRA Start Date

00/00/0000

Last Review

00/00/0000

401(k) Eligibility Date

00/00/0000

Last Position Change Date

00/00/0000

Employee Added

01/04/2013

Part-Time to Full-Time Date

00/00/0000

Medicare Entitlement Date

00/00/0000

Termination Date

00/00/0000

Previous Termination Date

N/A

Termination Type

▼

(Options)

Last Pay Change

09/24/2019

On-Leave End

00/00/0000

Next Review

00/00/0000

COBRA End Date

00/00/0000

401(k) Participation Date

00/00/0000

Match Eligibility Date

00/00/0000

Full-Time to Part-Time Date

00/00/0000

New Hire Report Date

00/00/0000

Most Recent Check Date

02/28/2020

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